**Policy Code: 4060 IMMEDIATE TRANSFER WHEN CRIMINAL CHARGES ARE PENDING**

Whenever a student is charged with a criminal offense, either as a juvenile or an adult, the Superintendent or designee, based upon a review of the allegations associated with the arrest or criminal charges and an informal meeting with the student and parent/guardian, shall have the authority to effect an immediate involuntary transfer, including homebound or other alternative setting, if the Superintendent or designee, based upon a preponderance of the evidence, is of the opinion that the peace, health, safety, or welfare of the students or staff of the Edenton-Chowan Public Schools may be disturbed by maintaining the student in his or her current placement. The student's parent/guardian may subsequently request a hearing under the Board's transfer policy to review the involuntary transfer.

Nothing in this policy precludes Edenton-Chowan Public Schools from suspending or expelling a student pursuant to the school system's policy on suspension or expulsion. Students with disabilities will receive services in accordance with the laws governing special education services.

LEGAL REF: [G.S. 115C-366](http://redirector.microscribepub.com/?cat=stat&loc=nc&id=115c&spec=366), State Board of Education Policy SSCH-000

ADOPTED:

AMENDED: November 5, 2012

**Edenton-Chowan Schools**